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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
John Richard BERGAN)
Serial No. 09/558,060) Examiner: B. To
Filed: April 26, 2000) Group Art Unit: 2172
For: DATA CHECKER APPARATUS) October 7, 2002
AND METHOD)

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RESPONSE TO OFFICE ACTION OF JUNE 5, 2002

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

A Petition for Extension of Time under 37 CFR 1.136(a) is enclosed.

The claims have been rejected under 35 U.S.C. 102(e) and 103(a) based upon the teachings of U.S. Patents 6,269,355 (Grimse et al.) and 5,864,869 (Doak et al.).

Reconsideration of the claims is request inasmuch as the prior art fails to teach or suggest the combination of elements or steps defined in the claims. The claims are deemed allowable for reciting a combination of elements or steps forming a data checking system or method for determining if necessary files and data have been entered into a computerized management system having a data base containing a plurality of files and data wherein an item list defining possible data in the computerized management system is displayed, the user selects

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one or more items in the item list as necessary for the management system and requests a check of the selected items, and an inspection of the management system data base is conducted to determine the presence of the selected items along with the results of the inspection being reported. Dependent claims 2, 3, 5 and 6 further define the item list to include lesson plan information and child development areas with the inspection determining if lesson plans exist for a selected period and determining the presence of child accomplishment in selected child development areas.

As noted in the specification on page 1, computerized management systems generally have multiple users who enter and maintain data files in a central data base. The effectiveness of the management system depends upon all the multiple parties using and entering the correct files and data. Thus there exists in the prior art a need for a simple and easy apparatus and method for determining if necessary files have been entered and whether certain data has been entered correctly. Additionally there exist differences between different agencies and between users in an agency on what files and/or data are necessary to maintain a desired degree of usefulness of the system.

The present invention supplies that need of the prior art by providing an apparatus and method for checking a database of a computerized management system for files and/or data necessary for the management system including a procedure for allowing a user to select one or more areas or items from a list of areas or items defining possible files and data in the

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management system. In response to the user requesting a check of the data base, a procedure determines if the items in the selected area or the selected items are present in the data base.

Neither Grimse et al. nor Doak et al. disclose any apparatus or method for checking a database of a computerized management system for files and/or data necessary for the management system. Grimse et al. disclose a computerized knowledge base for handling management procedures. Doak et al. disclose a process for developing, creating, editing and maintaining generic and subject-specific lesson plans, grade sheets, personal information and other classroom information. Neither Grimse et al. nor Doak et al. teach or suggest any list of defining possible data in a computerized management system wherein the list is displayed and a user can select one or more items in the item list as necessary for the management system for conducting an inspection of the management system data base to determine the presence of the selected items.

The office action cites Fig. 6 of Grimse et al. "(122 categorize, 124 investigate, 126 action plan)" as being an item list and means for displaying the list to enable the user to select one or more items from the list. However as noted in column 10, Fig. 6 of Grimse et al. illustrates a user interface that may be used for an attendance management process, and in lines 44-52: "In particular, there may be a Categorize button 122 to permit the user of the system to categorize the employee's absence if the category is known, an Investigate button 124 to investigate a particular type of absence as described below, an Action Plan button 126 to generate an action plan as described below with reference to Fig. 20 and a Report button 128

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for generating a disposition report as described below with reference to Fig. 21."

Categorizing, investigating and providing a course of action with respect to employee absenteeism is not in any manner a teaching of any apparatus or method for checking a database of a computerized management system for files and/or data necessary for the management system and which includes a procedure for allowing a user to select one or more areas or items from a list of areas or items defining possible files and data in the management system and for permitting the user to request a check of the data base by calling a procedure which determines if the items in the selected area or the selected items are present in the data base.

Doak et al. is cited in the office action for teaching at column 5, lines 31-35, "allow the user or teacher to publish: seating charts; grading schemes; teacher and parent correspondence and progress reports; class syllabi; evaluations(s)." However such publication does not in any manner constitute a teaching of any apparatus or method for checking a database of a computerized management system for files and/or data necessary for the management system and which includes a procedure for allowing a user to select one or more areas or items from a list of areas or items defining possible files and data in the management system and for permitting the user to request a check of the data base by calling a procedure which determines if the items in the selected area or the selected items are present in the data base.

Since the teachings of Grimse et al. and Doak et al., taken singly or in combination, do not suggest any apparatus or method for meeting the prior art need for a simple and easy

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apparatus and method for determining if necessary files have been entered and whether certain data has been entered correctly, the claims are clearly novel and patentable over the prior art.

The continued rejection of the claims is untenable.

This application is in condition for allowance and such favorable action is requested.

Respectfully submitted,

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